



The Attorney General of Texas

April 17, 1978

JOHN L. HILL
Attorney General

Supreme Court Building
P.O. Box 12548
Austin, TX. 78711
512/475-2501

701 Commerce, Suite 200
Dallas, TX. 75202
214/742-8944

4824 Alberta Ave., Suite 160
El Paso, TX. 79905
915/533-3484

723 Main, Suite 610
Fort Worth, TX. 77002
714/8-0701

806 Broadway, Suite 312
Lubbock, TX. 79401
806/747-5238

4313 N. Tenth, Suite F
McAllen, TX. 78501
512/682-4547

200 Main Plaza, Suite 400
San Antonio, TX. 78205
512/225-4191

An Equal Opportunity
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Honorable Kenneth Ashworth
Coordinating Board
Texas College and University System
Austin, Texas

Open Records Decision No. 189

Re: Whether a Coordinating Board file concerning educational institution is excepted from required public disclosure.

Dear Dr. Ashworth:

You request our decision pursuant to section 7 of article 6252-17a, V.T.C.S., the Open Records Act, concerning a request for inspection of the Coordinating Board file of an educational institution. The request is made by the Acting President of Universidad Jacinto Trevino for review of "the file" of that institution. You have submitted all materials you hold concerning the institution.

You note that the request lacks specificity, and request our assistance in determining whether parts of the information you hold concerning the institution might be excepted under section 3(a)(3) in light of possible litigation concerning this institution.

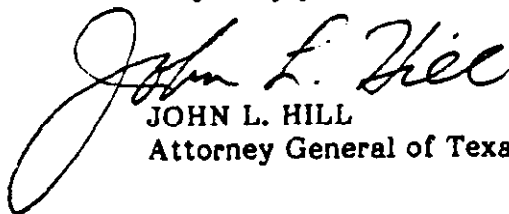
This institution applied for and was denied a certificate of authority to grant degrees, pursuant to subchapter G, chapter 61, Texas Education Code, sections 61.301 - .317. The Board has made a report to the appropriate prosecuting attorney concerning possible violation of this subchapter and has requested investigation pursuant to section 61.316.

The Assistant Attorney General responsible for advising the Coordinating Board and handling litigation on your behalf advises that there is in fact a reasonable anticipation of litigation of a criminal or civil nature to which the State may be a party in regard to this institution, and that public disclosure of portions of the file could adversely affect the interest of the State in the successful prosecution of an action to enforce subchapter G of chapter 61 of the Texas Education Code.

We have reviewed the materials submitted and have designated those parts which we have determined should be withheld from public inspection

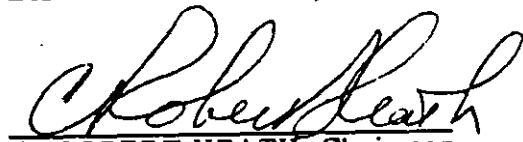
pursuant to section 3(a)(3) of the Open Records Act. The other parts of the file are public.

Very truly yours,



JOHN L. HILL
Attorney General of Texas

APPROVED:


DAVID M. KENDALL, First Assistant
C. ROBERT HEATH, Chairman
Opinion Committee

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